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SERVICE DATE - NOVEMBER 19, 2001
SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-303 (Sub-No. 20X)

WISCONSIN CENTRAL LTD.–ABANDONMENT
EXEMPTION–IN BROWN COUNTY, WI

Decided: November 13, 2001

On November 17, 1999, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for the State of Wisconsin Department of Natural Resources (WisDNR) to negotiate an interim trail use/rail banking agreement with Wisconsin Central Ltd. (WCL) for a 1.63-mile line of railroad between milepost 198.37 and milepost 200 in Green Bay, Brown County, WI. By decisions served May 11, 2000, November 9, 2000, and May 11, 2001, the negotiating period under the NITU was extended through November 7, 2001, for a portion of the right-of-way from milepost 198.37 to milepost 199.84.

On November 7, 2001, WisDNR filed a request for an additional 180-day extension of the negotiating period. WisDNR states that more time is needed to finalize negotiations between the parties. In a letter dated November 7, 2001, WCL advises that it supports the extension request.

Where, as here, the carrier has not consummated the abandonment at the end of the previously imposed negotiating period and is willing to continue trail use negotiations, the Board retains jurisdiction and the NITU negotiating period may be extended.¹ WisDNR has explained that more time is needed to complete negotiations. Accordingly, the NITU negotiating period will be extended for 180 days from November 7, 2001, or until May 6, 2002.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the NITU is extended to May 6, 2002.

¹ See Rail Abandonments–Supplemental Trails Act Procedures, 4 I.C.C.2d 152, 157-58 (1987).

2. This decision is effective on its service date.

By the Board, Beryl Gordon, Acting Director, Office of Proceedings.

Vernon A. Williams
Secretary